

CIA INTERNAL USE ONLY

4 March 1969

MEMORANDUM FOR THE RECORD

SUBJECT: H. R. 4204 - To Amend Section 6 of the War Claims Act
of 1948

1. H. R. 4204, introduced by Representative Byron G. Rogers (D., Colo.), is scheduled for hearing on 5 and 6 March before the Committee on Interstate and Foreign Commerce. The bill amends section 6 of the War Claims Act of 1948 to include prisoners of war captured during the Vietnam conflict. In essence, the bill will provide to military members of the Armed Forces a possible total of \$2.50 per day while a prisoner of war (\$1 for deficient quantity or quality of food and \$1.50 for inhumane treatment). To qualify for this payment the prisoner must be held by a hostile force with which the U.S. was actually engaged in armed conflict between 5 August 1964 and the date ending the Vietnam conflict.

2. The bill appears to be deficient in several major respects:

a. narrows potential eligibility period by starting coverage as of 5 August 1964 rather than 30 November 1961 or 28 February 1961, dates justified during the 90th Congress;

b. does not cover "civilian American citizen" as was done for World War II and Korean War (50 Appendix 2004(a), (g); and

c. does not reflect the new rates proposed during the 90th Congress in H. R. 15545 and S. 2260.

3. In addition to the above deficiencies, H. R. 4204 does not reflect the observations by DOD and the Foreign Claims Settlement Commission in connection with the consideration of similar legislation in 1968 to extend coverage to areas outside of Vietnam. Ed Buchanan and Dick Elliott (Ed's replacement on the POW Intelligence Committee) have been advised that

H. R. 4204 is active and were requested to determine DOD's position with respect to the bill and whether DOD plans to testify. [redacted] STATINTL
Personnel, was also advised of the developments on this legislation and I will meet with him and [redacted] in an effort to determine the factual basis for an Agency position with respect to the bill.

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Assistant Legislative Counsel

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